


PTO-1449 REPRODUCED  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b>  February 9, 2005  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 0975.1005-010		APPLICATION NO. 10/766,535	
	FIRST NAMED INVENTOR Junming Le		FILING DATE January 18, 2001	
	EXAMINER K.A. Canella	CONFIRMATION NO. 1000	GROUP 1642	

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
KAC	AK2	6,309,640 B1	10/30/2001	Cerami <i>et al.</i>
KAC	AA3	6,419,927 B1	07/16/2002	Cerami <i>et al.</i>

FOREIGN PATENT DOCUMENTS					
		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO
KAC	AMR	EP 0101681 B1	12/14/1994	The Rockefeller University	

EXAMINER 	DATE CONSIDERED 2/15/2005
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DIS/PAT/kaf  
February 9, 2005

PATENT APPLICATION  
DOCKET NO.: 0975.1005-010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight  
and Scott Siegel

Application No.: 09/766,535 Group: 1642

Filed: January 18, 2001 Examiner: K. A. Canella

Confirmation No.: 1000

For: ANTI-TNF ANTIBODIES AND PEPTIDES OF HUMAN TUMOR  
NECROSIS FACTOR

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop AP  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request that this Supplemental Information Disclosure Statement be submitted under 37  
CFR 1.97. Applicants respectfully request consideration by the Examiner.

INFORMATION FROM RELATED LITIGATION

The Rockefeller University and Chiron Corporation have filed a complaint in The United States  
District Court For The Eastern District of Texas, Marshall Division, Civil Action No. 2-04CV-16,  
against Centocor, Inc., an assignee of this application, for infringement of U.S. Patent Nos: 6,309,640  
and 6,419,927. The accused infringement relates to Centocor, Inc.'s product, REMICADE® infliximab.  
REMICADE® infliximab is also known as cA2, which is recited in the claims and specification in this  
application. The validity of this patent application is not at issue in the litigation. Nor is the validity of

09/766,535

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Enclosed herewith is Form PTO-1449, citing U.S. Patent Nos: 6,309,640 and 6,419,927 and their related European application (references AK2, AA3 and AM8, respectively).

Applicants do not believe that this information is relevant or material to patentability. Applicants merely cite this information in an abundance of caution. Further, Applicants believe that this information is cumulative to References AA and AB, which were cited in the Information Disclosure Statement filed in this application on April 5, 2002. Reference AK2 is a continuation application of Reference AA3, which is, in turn, a continuation application of References AA and AB and thus have substantially identical disclosures and have the same priority date. In addition, Reference AM8 claims priority to the same priority applications as References AA and AB and has a substantially identical disclosure.

Applicants request that the information disclosed herein be made of record in this application. Applicants respectfully request that the Examiner return a copy of this Supplemental Information Disclosure Statement and acknowledge the information from the related litigation.

*Kevin G. Gamella*  
Examiner

2/15/2005  
Date

## Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: February 9, 2005